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10  
11 **UNITED STATES DISTRICT COURT**  
12 **FOR THE EASTERN DISTRICT OF CALIFORNIA**

13 WILLIAM WIESE, et al.,  
14  
15 Plaintiffs,  
16  
17 - v. -  
18  
19 XAVIER BECERRA, et al.,  
20  
21 Defendants.

No. 2:17-cv-00903-WBS-KJN

**NOTICE OF MOTION AND  
MOTION FOR LEAVE FOR  
EVERYTOWN TO PARTICIPATE  
AS AMICUS CURIAE**

Hearing Date: February 19, 2019  
Hearing Time: 1:30 p.m.

Filing Date: January 28, 2019

1 TO THE COURT, ALL PARTIES AND THEIR ATTORNEYS OF RECORD:

2  
3 PLEASE TAKE NOTICE that on February 19, 2019 at 1:30 p.m. in Courtroom 5 on the  
4 14th Floor of the above-entitled Court, located at 501 I Street, Sacramento, California, 95814,  
5 movant Everytown for Gun Safety (“Everytown”) will, and hereby does, move for an order  
6 permitting it to participate as amicus curiae in the proceedings regarding Defendants’ Motion to  
7 Dismiss Plaintiffs’ Third Amended Complaint, currently scheduled to be heard at the above-  
8 referenced date, time, and location. Everytown’s Motion is submitted in light of and in reference  
9 to the Court’s November 15, 2019 order lifting the stay (Dkt. 94), which scheduled a hearing on  
10 Defendant’s Motion for February 19, 2019 at 1:30 pm.

11 This Motion is made on the grounds that the Court has inherent authority to allow  
12 participation of amici curiae. Everytown believes that its participation as amicus curiae would  
13 be helpful in facilitating a more complete understanding of the issues before the Court. This  
14 Motion is based on this Notice of Motion and Motion, the accompanying Memorandum in  
15 Support of Everytown’s Motion for Leave to Participate as Amicus Curiae, all attachments  
16 thereto, all papers and pleadings on file in this action, and upon such further evidence and  
17 argument as may be presented to the Court in connection with this Motion. Everytown  
18 previously submitted a similar motion (Dkt. 62) that your honor denied as moot (Dkt. 75).

19 Respectfully submitted,

20 Date: January 28, 2019

DAVIS POLK & WARDWELL LLP

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